

Allan Berger, LA Bar 2977  
Allan Berger and Associates  
4173 Canal Street  
New Orleans, Louisiana 70119  
Telephone: (504) 486-9481  
Facsimile: (504) 483-8130  
Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

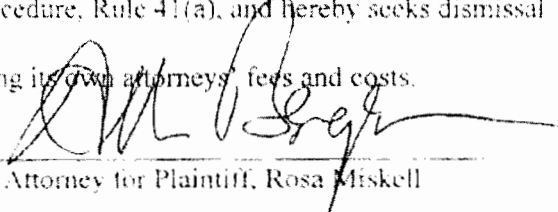
(SAN FRANCISCO DIVISION)

In re: Bextra and Celebrex Marketing Sales Practices and Product Liability Litigation	*	MDL No. 1699
.....	*	District Judge: Charles R. Breyer
DIANE MISKELL AND OTHERS	*	Case No. 06-1264 <b>03682</b>
INDIVIDUALLY AND ON BEHALF OF	*	
THE ESTATE OF ROSA MISKELL	*	
	*	
Plaintiff,	*	<b><u>STIPULATION AND ORDER OF</u></b>
	*	<b><u>DISMISSAL WITH PREJUDICE</u></b>
VS	*	
	*	
PFIZER, INC., et al	*	
	*	
Defendants	*	
.....	*	

Comes now the Plaintiff, **DIANE MISKELL AND OTHERS INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF ROSA MISKELL**, by and through the undersigned attorney(s), pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby seeks dismissal of this action *with prejudice* with each side bearing its own attorneys' fees and costs.

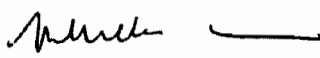
Dated: \_\_\_\_\_

BY

  
Attorney for Plaintiff, Rosa Miskell

ALLAN BERGER & ASSOC., P.L.C.  
ALLAN BERGER (BAR #2977)  
4173 Canal Street  
New Orleans, LA 70119  
Telephone: (504) 486-9481  
Facsimile: (504) 483-2201  
[abberger@allan-berger.com](mailto:abberger@allan-berger.com)

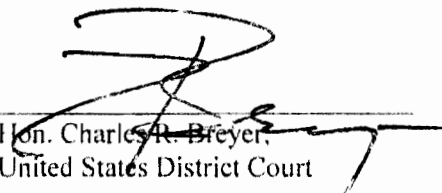
Dated: March 12, 2010

BY: 

DIA PIPER LLP (US)  
1251 Avenue of the Americas  
New York, NY 10020  
(212)335-4500  
Fax: 212-335-4501  
*DEFENDANTS' LIAISON COUNSEL*

**PURSUANT TO THE TERMS SET FORTH IN THIS PARTIES' STIPULATION, IT IS  
SO ORDERED.**

Dated: April 5, 2010

  
Hon. Charles R. Breyer  
United States District Court